REMARKS

Claim Rejections

Claims 1-9 are rejected under 35 U.S.C. § 112, second paragraph. Claim 3 is rejected under 35 U.S.C. § 112, first paragraph. Claims 1-9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Zorbas in view of Colson et al.

Amendments to Specification

Applicant has amended the Specification as noted above to cure obvious grammatical and idiomatic inaccuracies. It is believed that the foregoing amendments to the Specification overcome the outstanding objections thereto. No "new matter" has been added to the original disclosure by the foregoing amendments to the Specification.

Drawings

It is noted that no Patent Drawing Review (Form PTO-948) was received with the outstanding Office Action. Thus, Applicant must assume that the drawings are acceptable as filed.

New Claims

By this Amendment, Applicant has canceled claims 1-9 and has added new claims 10-16 to this application. It is believed that the new claims specifically set forth each element of Applicant's invention in full compliance with 35 U.S.C. § 112, and define subject matter that is patentably distinguishable over the cited prior art, taken individually or in combination.

It is submitted that the claimed subject matter is described in Applicant's specification in sufficient detail to enable one having ordinary skill in the art to make and use Applicant's invention without undue experimentation. It is believed that Applicant's specification discloses how to make and use the claimed invention.

The new claims are directed toward a slat structure comprising: a decorative article having: a woven fabric (40) having artistic designs integrally woven therein; and at least two support sticks (41) integrally woven into the decorative article by the

woven fabric; and a transparent adhesive layer (401) coating each of two opposing outer surfaces of the decorative article adhering the woven fabric and the at least two support sticks together and forming a rigid structure.

Other embodiments of the present invention include: the at least two support sticks are made of baboo materials; the at least two support sticks are equally spaced apart; the at least two support sticks extend parallel to a length of the decorative article; a cord passage hole (401') is located in each of two opposing ends thereof; the at least two support sticks extend perpendicular to a length of the decorative article; and a hook hole (501') is located in one of two opposing ends thereof.

The primary reference to Zorbas teaches a slat (10) having an elongated central strip (12) and two longitudinal expanding pockets (14) forming two longitudinally extending spaced into which a rigid member (15) is inserted.

Zorbas does not teach a transparent adhesive layer coating each of two opposing outer surfaces of the decorative article adhering the woven fabric and the at least two support sticks together and forming a rigid structure.

The secondary reference to Colson et al. teaches a vane (56) formed by a double layered loops (66) adhered together by a stiffening compound (68)

Colson et al., paragraph 0107, state:

> FIG. 5 is a cross sectional view through a vane 56 formed in accordance with the above described procedure and it will be appreciated that the stiffening compound 68 penetrates both layers of the fabric vanes. If carefully selected quantities of the compound are utilized, however, the compound does not have to totally impregnate the fabric thereby leaving relatively soft outer surfaces on both sides of the vane.

Colson et al. teach applying an adhesive between two layers of fabric vanes, which is distinguishable from applying an adhesive layer on each of two outer surfaces of the Fabric layer.

Colson et al. do not teach at least two support sticks integrally woven into the decorative article by the woven fabric; nor do Colson et al. teach a transparent adhesive layer coating each of two opposing outer surfaces of the decorative article adhering the woven fabric and the at least two support sticks together and forming a rigid structure.

Even if the teachings of Zorbas and Colson et al. were combined, as suggested by the Examiner, the resultant combination does not suggest: a transparent adhesive layer coating each of two opposing outer surfaces of the decorative article adhering the woven fabric and the at least two support sticks together and forming a rigid structure.

It is a basic principle of U.S. patent law that it is improper to arbitrarily pick and choose prior art patents and combine selected portions of the selected patents on the basis of Applicant's disclosure to create a hypothetical combination which allegedly renders a claim obvious, unless there is some direction in the selected prior art patents to combine the selected teachings in a manner so as to negate the patentability of the claimed subject matter. This principle was enunciated over 40 years ago by the Court of Customs and Patent Appeals in In re Rothermel and Waddell, 125 USPQ 328 (CCPA 1960) wherein the court stated, at page 331:

> The examiner and the board in rejecting the appealed claims did so by what appears to us to be a piecemeal reconstruction of the prior art patents in the light of appellants' disclosure. ... It is easy now to attribute to this prior art the knowledge which was first made available by appellants and then to assume that it would have been obvious to one having the ordinary skill in the art to make these suggested reconstructions. While such a reconstruction of the art may be an alluring way to rationalize a rejection of the claims, it is not the type of rejection which the statute authorizes.

The same conclusion was later reached by the Court of Appeals for the Federal Circuit in Orthopedic Equipment Company Inc. v. United States, 217 USPQ 193 (Fed.Cir. 1983). In that decision, the court stated, at page 199:

> As has been previously explained, the available art shows each of the elements of the claims in suit. Armed with this information, would it then be non-obvious to this person of ordinary skill in the art to coordinate these elements in the same manner as the claims in suit? The difficulty which attaches to all honest attempts to answer this question can be attributed to the strong temptation to rely on hindsight while undertaking this evaluation. It is wrong to use the patent in suit as a guide through the maze of prior art references, combining the right references in the right way so as to achieve the result of the claims in suit. Monday morning quarterbacking is quite improper when resolving the question of non-obviousness in a court of law.

In In re Geiger, 2 USPQ2d, 1276 (Fed.Cir. 1987) the court stated, at page 1278:

> We agree with appellant that the PTO has failed to establish a *prima facie* case of obviousness. Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching suggestion or incentive supporting the combination.

Applicant submits that there is not the slightest suggestion in either Zorbas or Colson et al. that their respective teachings may be combined as suggested by the Examiner. Case law is clear that, absent any such teaching or suggestion in the prior art, such a combination cannot be made under 35 U.S.C. § 103.

Neither Zorbas nor Colson et al. disclose, or suggest a modification of their specifically disclosed structures that would lead one having ordinary skill in the art to arrive at Applicant's claimed structure. Applicant hereby respectfully submits that no combination of the cited prior art renders obvious Applicant's new claims.

Summary

In view of the foregoing amendments and remarks, Applicant submits that this application is now in condition for allowance and such action is respectfully requested. Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's local attorney be contacted at the exchange listed below.

Respectfully submitted,

Date: February 28, 2006 By: _____

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